

# United States District Court

Middle District of Georgia

**UNITED STATES OF AMERICA****VS.****JUDGMENT IN A CRIMINAL CASE**  
(FOR REVOCATION OF PROBATION)**RUTH N. DURHAM,****NO. 5: 08-MJ-10-04 (CWH)**

Defendant

Catherine Michelle Leek

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Defendant's Attorney

The above-named defendant on April 28, 2009, having admitted to violating CONDITIONS OF PROBATION imposed upon her by the undersigned in the above-captioned proceeding on March 9, 2009, as alleged in the **PETITION FOR ACTION ON PROBATION** filed March 26, 2009, by U.S. Probation Officer Todd D. Garrett, pursuant to provisions of the court's Order of April 28<sup>th</sup>, said sentence of probation is now REVOKED, and she is **RESENTENCED** as hereinafter set out, the court finding the following violation(s):

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Occurred</u>
2	Possessing/Using Marijuana and Cocaine	03/18/09

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment (if any) are fully paid.

**Defendant's Soc. Sec. No.:** \*\*\*-\*\*-6555

June 30, 2009

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Date of Imposition of Judgment**Defendant's Date of Birth:** 1962**Defendant's USM No.:** 93504-020

Signature of Judicial Officer

**Defendant's Residence Address:**

Perry, Georgia

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE

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Name and Title of Judicial Officer**Defendant's Mailing Address:** Same

June 30, 2009

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Date

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments hereinafter set forth.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>Totals</b>	<b>\$</b>	<b>\$ Balance Due, if any</b>	<b>\$</b>
<input type="checkbox"/> If applicable, restitution amount ordered pursuant to plea agreement . . . . .			\$

**FINE**

☐ The above fine includes costs of incarceration and/or supervision in the amount of \$\_\_\_\_\_.

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options hereinafter set forth may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g).

☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived.

☐ the interest requirement is modified as follows:

**RESTITUTION**

No restitution is ordered.

**SCHEDULE OF PAYMENTS**

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

PAYMENT OF THE TOTAL FINE AND OTHER CRIMINAL MONETARY PENALTIES SHALL BE MADE IN FULL IMMEDIATELY.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

Unless the court has expressly ordered otherwise, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments shall be made to the **CLERK OF THIS COURT** except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program. All criminal monetary penalty payments are to be made as directed by the court, the probation officer, or the United States attorney.

## IMPRISONMENT

The court finds that the conditions of probation have been violated as outlined in the **PETITION FOR ACTION ON PROBATION** filed March 26, 2009, including possession of marijuana and cocaine. The court also finds that an exception to the mandatory revocation provisions of 18 U.S.C. §3563(e) is *not* warranted based on the defendant's continued use of cocaine. Accordingly, the defendant's probation is **REVOKED**, and she is hereby committed to the **CUSTODY** of the UNITED STATES BUREAU OF PRISONS to be imprisoned for a period of **SIX (6) MONTHS**.

☐ The court makes the following recommendation to the BUREAU OF PRISONS:

☒ The defendant is remanded to the custody of the United States Marshal.

**G** The defendant shall surrender to the United States Marshal for this district:

**G** at \_\_\_\_\_ A.M./P.M. on \_\_\_\_\_.

**G** as notified by the United States Marshal.

**G** as notified by the Probation/Pretrial Services Office.

**G** The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

**G** before 2:00 P.M. on \_\_\_\_\_.

**G** as notified by the United States Marshal.

**G** as notified by the Probation/Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL